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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Request for Filing Divisional Application under 37 C.F.R. § 1.53(b)

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

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Transmitted herewith for filing is the Patent Application of:

Inventor:

Michael J. Branson et al.

For:

APPARATUS AND METHOD FOR SYNCHRONIZING SOFTWARE BETWEEN

COMPUTERS

This is a request for filing a divisional application under 37 C.F.R. § 1.53(b) of pending prior application Serial Number <u>09/314,951</u>, filed on <u>May 19, 1999</u>, and entitled "<u>APPARATUS AND METHOD FOR SYNCHRONIZING SOFTWARE BETWEEN COMPUTERS</u>".

The prior application has been incorporated by reference herein.

The following is attached:

Transmittal sheet (in duplicate) containing Certificate of Mailing Under 37 CFR 1.10

Divisional Utility Patent Application, with <u>60</u> pages Specification, <u>13</u> pages of Claims (<u>61</u> total claims, of which <u>6</u> is Independent) and <u>1</u> page Abstract (filing fees calculated below)

Copy of Executed Declaration and Power of Attorney and Petition from prior application

 $\sqrt{10}$ sheets formal drawings

Information Disclosure Statement and Form PTO-1449

Return Postcard

The filing fee has been calculated as follows:

For:	No. Filed		No. Extra
Basic Fee			Section 2015 Control of the Control
Total Claims	61	-20 =	41
Indep. Claims	6	-3 =	3
Multiple Depende	ent Claim Preser	nted	

Other Than Small Entity

Rate	Fee	
	\$ 740.00	
x \$18.00=	\$ 738.00	
x \$84.00=	\$ 252.00	
\$280.00	\$ 0.00	
TOTAL	\$1,730.00	

EXPRESS MAIL CERTIFICATE

Express Mail Label No.:

ET747205828US

Date:

January 18, 2002

I hereby certify that I am depositing the enclosed or attached paper with the U.S. Postal Service "Express Mail Post Office to Addressee" service on the above date, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Steven W. Roth

Divisional Application Transmittal Attorney Docket No. ROC919980274US2 The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <u>09-0465</u>. A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. §1.16.

Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

By Seven W. Roth Registration No. 34,712

IBM Corporation

Intellectual Property Law, Dept. 917

3605 Highway 52 North

Please charge Deposit Account No. 09-0465 in the amount of \$1,730.00. A duplicate copy of

Deposit Account Authorization:

Rochester, MN 55901-7829

(507) 253-1600 voice (507) 253-2382 fax

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this sheet is enclosed.